

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.11037 of 2006

Dated:20.04.2007

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Between:

J.Sriramaraju.

... Petitioner

AND

The State of A.P., and another.

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.11037 of 2006

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ORDER:

The petitioner is allegedly the owner of land admeasuring Acs.3.06 guntas in Survey Nos.166/1 to 166/6 situated at Kondapur Village of Ghatkesar Mandal in Ranga Reddy District. So as to construct a compound wall and a room in the said land, the petitioner approached the Gram Panchayat and submitted an application on 21.05.2006 for permission under Section 120 of the Andhra Pradesh Panchayat Raj Act, 1994 (for short 'the Act') read with the Andhra Pradesh Gram Panchayat Land Development (Layout and Building) Rules, 2002. By memo, dated 25.05.2006, the Panchayat Secretary rejected the permission stating that the land in various survey numbers claimed by the petitioner has been resumed by the Government. The said memo is assailed in the Writ Petition.

Against the impugned order, there is an effective alternative remedy under Section 128(2) of the Act. As the questions of facts are involved, this Court is not inclined to go into the merits of the case. Liberty is given to the petitioner to approach the District Panchayat Officer and file an appeal within a period of two weeks from the date of receipt of a copy of this order. As and when such appeal is filed, the appellate authority may entertain the same and pass appropriate orders.

The Writ Petition is accordingly disposed of. No costs.

20.04.2007
vs

(V.V.S.RAO, J)